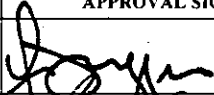
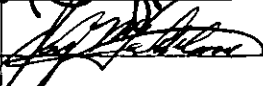
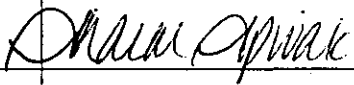



001885		REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO		1. CERTIFICATE NUMBER (FOR AUDITOR) 126 12/02			
TO: CITY ATTORNEY		2. FROM (ORIGINATING DEPARTMENT): BUSINESS OFFICE		3. DATE: August 15, 2008			
4. SUBJECT: CONFLICT OF INTEREST CODE FOR THE BUSINESS OFFICE.							
5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.) Anna Danegger, 619/236-6107, MS 9A		6. SECONDARY CONTACT (NAME, PHONE, & MAIL STA.) Denise Sandoval, 619/236-6198, MS 9A		7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/>			
8. COMPLETE FOR ACCOUNTING PURPOSES							
FUND				9. ADDITIONAL INFORMATION /			
DEPT.							
ORGANIZATION							
OBJECT ACCOUNT							
JOB ORDER							
C.I.P. NUMBER							
AMOUNT							
10. ROUTING AND APPROVALS							
ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	BUSINESS OFFICE		8/20/08	6			
2	COO		8/24/08	7			
3	CITY CLERK			8			
4	CITY ATTORNEY		10/23/08	9			
5						<input type="checkbox"/> REFER TO: <u>x. Confidential</u>	COUNCIL DATE: <u>12/2/08</u>
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTIONS <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)							
Adopt a Conflict of Interest Code for the Business Office.							
11A. STAFF RECOMMENDATIONS: Approve the Conflict of Interest <i>Code</i>							
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.) COUNCIL DISTRICT(S): N/A COMMUNITY AREA(S): N/A ENVIRONMENTAL IMPACT: N/A HOUSING IMPACT: N/A OTHER ISSUES: NONE. CITY CLERK INSTRUCTIONS: PLEASE FORWARD A COPY OF THE RESOLUTION TO ANNA DANEGGER, MS 9A.							

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EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO

DATE ISSUED: August 22, 2008

REPORT NO:

ATTENTION: Council President and City Council
ORIGINATING DEPARTMENT: Business Office
SUBJECT: Biennial Review: Conflict of Interest Codes
COUNCIL DISTRICT(S): N/A
CONTACT/PHONE NUMBER: Anna Danegger 619/236-6107

REQUESTED ACTION: Resolution

STAFF RECOMMENDATION: Pass resolution

EXECUTIVE SUMMARY:

This revision is intended to conform with Government Code Section 87305.5 requiring a biennial review and update of local conflict of interest codes as reflected in City Council Resolution number R-303719 adopted May 27, 2008. The Business Office code has been developed to:


1. Indicate the establishment of the Business Office as an independent entity reporting to the Chief Operating Officer; and
2. Transfer all Business Office staff under the Business Office code, creating new assignments as required.

FISCAL CONSIDERATIONS: None


PREVIOUS COUNCIL and/or COMMITTEE ACTION: N/A

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS: N/A



Anna Danegger
Director, Business Office



Jay M. Goldstone
Chief Operating Officer

001889

2008 Local Agency Biennial Notice

Name of Agency: City of San Diego, Business Office

Mailing Address: 202 C Street, MS 9A, San Diego, CA, 92101

Contact Person: Denise Sandoval

Phone Number: 619-236-6198 Fax Number: 619-236-7344

E-mail: dmsandoval@saniego.gov

This agency has reviewed its conflict of interest code and has determined that:

☒ The code needs to be amended and the following amendments are necessary:

(Check all that apply)

☒ Include new positions (including consultants) which must be designated (App. A)

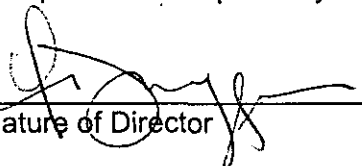
☐ Delete positions that manage public investments from the list of designated positions.

☒ Revise disclosure categories (App. B)

☒ Revise the titles of existing positions (App. A)

☒ Delete the titles of positions that have been abolished (App. A)

☐ No amendments are necessary. The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.


Signature of Director

21 Oct 2008
Date


You must complete this report regardless of how recently your code was approved or amended.

Please return this report by August 22, 2008, to:

Denise Jenkins, Elections Analyst
Office of the City Clerk
202 C Street, MS 2A, San Diego, CA 92101

CERTIFICATION

The foregoing amendment to the Conflict of Interest Code was prepared by the City of San Diego's Business Office after a fair opportunity was offered to the members of the department to present their views.



Anna Danegger
Director

8/20/2008
Date

BUSINESS AND SUPPORT SERVICES OFFICE
CONFLICT OF INTEREST CODE

APPENDIX A
DESIGNATED POSITIONS, DUTIES AND CATEGORIES

<u>Position</u>	<u>Duties</u>	<u>Category</u>
Assistant Chief Operating Officer	Assist the Mayor and Chief Operating Officer with administration of the affairs of the City and other duties of the Chief Operating Officer.	1
Business & Grant Administration Director	Plans, directs and coordinates the preparation of consistent citywide policies; serves as liaison officer for the Chief Operating Officer to the City Clerk's office; plans and coordinates citywide grants management; assists the Chief Operating Officer and Assistant Chief Operating Officer as required. Oversees Mayor's scheduling and reception staff.	1
Chief Information Officer	Manages the Technology Services Business Center and assists the Assistant Chief Operating Officer in the assessment and administration of Citywide technology services. Directs Information Technology and Communications Department. Has overall responsibility for purchases of supplies and services for IT Division.	1
Human Resources Director	Directs Human Resources Department and administers the department's annual budget which consists of Personnel, Risk Management, Labor Relations and Performance & Development Divisions.	1
Purchasing & Contracting Director	Plans, directs and administers the City's Purchasing Program; and directs solicitation of bids and issuance of contracts for supplies, materials, equipment, non-professional services and construction.	1
Business Office Director	Manages the Business Office and serves as the lead for the City's reform initiatives. Directs the City's Business Process Reengineering, Managed Competition and City Management Programs.	1
Project/Program Manager	Assist the <u>Director</u> Chief Operating Officer, Assistant Chief Operating Officer and Deputy Chief Operating Officers by <u>planning, overseeing and administering the City's key reform programs. Leads and/or supports the City's reform initiatives by directing and providing research assistance; preparing and reviewing reports, and drafting correspondence; Undertakes special assignments, conducts analyses, facilitates meetings, and leads management studies; sitting on boards and committees as required; and acting as liaison between the Mayor and Chief Operating Officer, City Council, and the community.</u>	2

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<u>Analyst /</u> <u>Organizational</u> <u>Effectiveness</u> <u>Specialist /</u> <u>Management</u> <u>Trainee</u>	<u>Provides research assistance, prepares and reviews</u> <u>reports, drafts correspondence, undertakes special</u> <u>assignments, conducts analysis, facilitates meetings, and</u> <u>leads management studies in support of the City's reform</u> <u>initiatives.</u>	<u>2</u>
Consultant	Performs consultingant services in support of the <u>Business Office's programs. for Business & Support</u> <u>Services departments.</u>	3

DRAFT

BUSINESS AND SUPPORT SERVICES OFFICE
CONFLICT OF INTEREST CODE

APPENDIX B
DISCLOSURE CATEGORIES

CATEGORY 1

- a.1. All reportable investments, and business positions, and income (including gifts) from in any firm or business entity located in or doing business with the City of San Diego, that supplies goods or services to the City of San Diego, or is granted authority by the City of San Diego to use City facilities.
- b. ~~All reportable investments, business positions, and income from sources located in or doing business in the City of San Diego.~~
- e.2. All reportable interests in real property located in the City of San Diego, including property located within a two-mile radius of any property owned or used by the City.
- d.3. All reportable interests in real property owned or used by any person or business entity that supplies goods or services to the City of San Diego, that is a tenant of the City of San Diego, or is granted authority by the City of San Diego to use City facilities.
- e.4. All reportable income, including gifts, from any person or business entity that supplies goods or services to the City of San Diego, or is granted authority by the City of San Diego to use City facilities.

CATEGORY 2

- a.1. All reportable investments and business positions in any firm or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
- b.2. All reportable income, and including gifts, from any person or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
- e.3. All reportable interests in real property owned or used by any person or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City of San Diego to use City facilities.

CATEGORY 3

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code, subject to the following limitation:

The ~~Assistant Chief Operating Officer or Chief Information Officer or Directors~~ may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The ~~Assistant Chief Operating Officer or Chief Information Officer or Director's~~ determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

DRAFT

**BUSINESS OFFICE
CONFLICT OF INTEREST CODE**

**APPENDIX A
DESIGNATED POSITIONS, DUTIES AND CATEGORIES**

<u>Position</u>	<u>Duties</u>	<u>Category</u>
Business Office Director	Manages the Business Office and serves as the lead for the City's reform initiatives. Directs the City's Business Process Reengineering, Managed Competition and City Management Programs.	1
Project/ Program Manager	Assist the Director by planning, overseeing and administering the City's key reform programs. Leads and/or supports the City's reform initiatives by directing and providing research assistance; preparing and reviewing reports, and drafting correspondence. Undertakes special assignments, conducts analyses, facilitates meetings, and leads management studies.	2
Analyst / Organizational Effectiveness Specialist / Management Trainee	Provides research assistance, prepares and reviews reports, drafts correspondence, undertakes special assignments, conducts analysis, facilitates meetings, and leads management studies in support of the City's reform initiatives.	2
Consultant	Performs consulting services in support of the Business Office's programs.	3

**BUSINESS OFFICE
CONFLICT OF INTEREST CODE**

**APPENDIX B
DISCLOSURE CATEGORIES**

CATEGORY 1

1. All reportable investments, business positions, and income (including gifts) from any firm or business entity located in or doing business with the City of San Diego.
2. All reportable interests in real property located in the City of San Diego, including property located within a two-mile radius of any property owned or used by the City.
3. All reportable interests in real property owned or used by any person or business entity that supplies goods or services to the City of San Diego, that is a tenant of the City of San Diego, or is granted authority by the City of San Diego to use City facilities.
4. All reportable income, including gifts, from any person or business entity that supplies goods or services to the City of San Diego, or is granted authority by the City of San Diego to use City facilities.

CATEGORY 2

1. All reportable investments and business positions in any firm or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
2. All reportable income, including gifts, from any person or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City to use City facilities.
3. All reportable interests in real property owned or used by any person or business entity that supplies goods or services to the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or is granted authority by the City of San Diego to use City facilities.

CATEGORY 3

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code, subject to the following limitation:

The Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements

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described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

001901

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

RESOLUTION ADOPTING A REVISED CONFLICT OF
INTEREST CODE FOR THE BUSINESS OFFICE

WHEREAS, Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions that involve the making or participation in making of decisions which may foreseeably have a material effect on financial interests, and for each position, the financial interests which are reportable; and

WHEREAS, in compliance with Government Code section 87306.5, the City is in the midst of a required City-wide biennial review of all conflict of interest codes for which the City Council serves as code-reviewing body; and

WHEREAS, by Resolution R-303718 (approved by the City Council on May 20, 2008), the City Council directed every City department, agency, board and commission for which the City Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes as necessary; and

WHEREAS, as the City's code-reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the California Fair Political Practices Commission [FPPC] in Regulation 18730, and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 18730 and any amendments to that regulation duly adopted by the FPPC as part of each conflict of interest code for which the City Council has responsibility; and

WHEREAS, by Resolution No. 302215, the City Council on December 5, 2006, approved a revised Conflict of Interest Code for Business and Support Services, which at that time included within its code the Business Office staff, now a separate department; and

WHEREAS, the Business Office now seeks to revise its conflict of interest code, to allow it to have a separate code for its department, which is now an independent entity reporting to the Chief Operating Officer; and to include new positions that had not previously been designated, revise the title of the department, revise disclosure categories, revise titles of existing positions and delete the titles of positions that have been abolished; and

WHEREAS, the City Council concurs that a revised Conflict of Interest Code be adopted for the Business Office; and

WHEREAS, Government Code section 87303 provides that when a proposed conflict of interest code or amendment is approved by the code-reviewing body, it shall be deemed adopted, and, accordingly, this resolution is not subject to veto by the Mayor; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that a Conflict of Interest Code for the Business Office is hereby adopted, consisting of standard language embodied in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories.

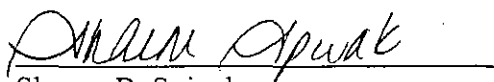
BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Business Office as adopted be placed on file in the Office of the City Clerk as Document No. RR-_____.

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the revised Conflict of Interest Code for the Business Office shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political Practices Commission Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements and leaving office statements.

BE IT FURTHER RESOLVED, that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction.

BE IT FURTHER RESOLVED, that the Conflict of Interest Code for the Business Office becomes effective upon the date of adoption of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Sharon B. Spivak
Deputy City Attorney

SBS:als

10/27/08

Or.Dept:Business Office

R-2009-204